

REMARKS

Applicant requests favorable reconsideration and withdrawal of the rejections set forth in the above-mentioned Office Action in view of the foregoing amendments and the following remarks.

Claims 25-33 are now pending, with all of the claims being independent. Claims 25-30 have been amended. Claims 31-33 are new. Support for the amendments and new claims can be found throughout the originally-filed disclosure, including, for example, in Figures 9A and 9B, and the corresponding description of these figures in the specification. Accordingly, Applicant submits that the amendments and new claims do not include new matter.

Claims 25-30 are rejected in the Office Action under 35 U.S.C. § 103(a) as being unpatentable over Mitani (U.S. Patent No. 5,737,503) in view of Iizumi et al. (U.S. Patent No. 6,891,638).

Applicant respectfully traverses the rejections. Nevertheless, without conceding the propriety of the rejections and solely to expedite prosecution, Applicant has amended independent claims 25-30 so as to clarify certain features of the invention not disclosed or suggested by the cited references. To this end, Applicant submits that the claims are patentably distinguishable from the cited references for at least the following reasons.

Amended independent claim 25 recites an information processing apparatus that comprises, inter alia, a transmission unit. The transmission unit is configured to transmit data of first to fourth colors in a non-overlapping area Nb and data of the third and the fourth colors in the area Nc on a N-th page, as well as data in an overlapping area (N+1)a on a (N+1)th page to a

printer, if a first discrimination unit discriminates that the data of the N-th page and the (N+1)th page can be stored in the memory and if a second discrimination unit discriminates that the data in the an area Na has been transmitted to the printer. Amended independent claim 25 further recites that the transmission unit is configured to transmit different combinations of the first to fourth colors in the areas Na, Nb, and Nc on the N-th and (N+1)th pages based on the discriminations by the first and second discrimination units. Amended independent claim 27 recites a method, and amendment independent 29 recites a computer-readable storage medium storing an information processing program, both of which include transmission steps analogous to the transmission unit recited in amended independent claim 25.

Applicant respectfully submits that neither Mitani nor Iizumi discloses or suggests the transmission unit or transmission steps recited in amended independent claims 25, 27, and 29. In Applicant's view, Mitani discloses a printer that forms an image based on intermediate data stored in an intermediate buffer. If the intermediate buffer becomes short of the necessary free memory, Mitani extends the band raster buffer to a full-raster buffer or deletes the cache buffer so as to reserve the intermediate buffer. See, e.g., Figures 5 and 6 and the corresponding description in the disclosure of Mitani. Further, in Applicant's view, Iizumi appears to disclose a printer that generates data in a band unit in each of a plurality of colors, and prints data based on the generated data. See, e.g., the Abstract of Iizumi. However, neither Mitani nor Iizumi discloses or suggests a transmission unit or transmission step that transmits different combinations of first to fourth colors in areas Na, Nb, and Nc on N-th and (N+1)th pages based on discriminations by the first and second discrimination units, as recited in amended

independent claims 25, 27, and 29.

With respect to amended independent claim 26, this claim recites an information processing apparatus that comprises, inter alia, a transmission unit that transmits data of a first color of an (N+1)th page to the printer after completion of transmission of data of a fourth color of the N-th page if a discrimination unit discriminates that the data of the N-th page and the (N+1)th page cannot be stored in a memory. The transmission unit is further configured to transmit data of the first color of the (N+1)th page to the printer before completion of transmission of data of the fourth color of the N-th page, if said discrimination unit discriminates that the data of the N-th page and the (N+1)th page can be stored in the memory. Amended independent claim 28 recites a method, and amendment independent 30 recites a computer-readable storage medium storing an information processing program, both of which include transmission steps analogous to the transmission unit recited in amended independent claim 26. Further, new independent claims 31-33 include the same transmission unit or transmission step features as amended independent claims 26, 28, and 30.

As substantially discussed above, neither Mitani nor Iizumi discloses or suggests a transmission unit or transmission step that transmits different combinations of the colors in the areas of pages based on the discrimination by a discrimination unit. Thus, Applicant submits that the cited references cannot be understood to disclose or suggest the transmission units or transmission steps recited amended independent claims 26, 28, and 30, or new claims 31-33.

For at least the foregoing reasons, Applicant submits that the references cited in the Office Action, whether taken individually or collectively, fail to disclose or suggest the invention recited in independent claims 26-33.

In view of the foregoing amendments and remarks, it is respectfully submitted that the pending claims are allowable over the references of record, and that the application is in condition for allowance. Favorable reconsideration and early passage to issue of the application are earnestly solicited.

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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